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FILED
2024 JUN 3
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U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

Case: 1:24-cr-00030
Assigned To : Campbell,
Tena
Assign. Date : 6/3/2024
Description: USA v
Pimentel-Carlos

UNITED STATES OF AMERICA, : NOTICE OF SENTENCING
ENHANCEMENT
Plaintiff, :
vs. : 8 U.S.C. § 1326(b)
(TEN YEARS
LORENZO PIMENTEL-CARLOS , : IMPRISONMENT, \$250,000 FINE,
OR BOTH)
Defendant. : OR BOTH)

The United States of America, by and through its undersigned counsel, gives
notice that the defendant has been convicted as follows:

On November 15, 2006, the Defendant was convicted in the First District Court,
Cache County, Utah for the offense of possession of a controlled substance, to wit:
methamphetamine, a third degree felony in case 061101017.

Because of the above conviction, if the defendant is convicted in the above-
captioned matter, defendant's sentence will be enhanced according to defendant's prior
criminal history and the applicable sentencing guidelines, and defendant will be subjected
to a sentence of imprisonment of not more than 10 years, a \$250,000 fine, or both. *See*

8 U.S.C. § 1326(b); *Apprendi v. New Jersey*, 530 U.S. 466 (2000); *Almendarez-Torres v. United States* 523 U.S. 224 (1998) (prior aggravated felonies are sentencing enhancements that do not need to be charged in the indictment); and *United States v. Martinez-Villalva*, 232 F.3d 1329 (10th Cir. 2000) (failing to charge prior aggravated felonies in an indictment does not violate *Apprendi*).

The government gives the foregoing notice as a matter of courtesy to the defendant and the Court. In so doing, the government in no way restricts itself, the Probation Office, or the Court from consideration of other crimes, defendant's history, or applicable sentencing factors in determining defendant's sentence in this case.

DATED this 3rd day of June, 2024.

TRINA A. HIGGINS
United States Attorney



BRYAN N. REEVES
Assistant United States Attorney